

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DIGITAL MEDIA SOLUTIONS, LLC,	)	<b>Case No. 1:19-cv-00145</b>
	)	
Plaintiff	)	Judge Dan Aaron Polster
	)	
v.	)	Magistrate Judge Thomas M. Parker
	)	
SOUTH UNIVERSITY OF OHIO, LLC, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**RECEIVER'S NOTICE OF WITHDRAWAL OF MOTION  
TO APPROVE LITIGATION TRUST AND REQUEST  
THAT DECEMBER 15, 2023, HEARING BE CANCELLED**

On November 21, 2023, Mark Dottore, Receiver for Dream Center Education Holdings and certain of its subsidiaries ("DCEH"), filed a motion to approve a DCEH litigation trust (Dkt. 804, the "Motion"). The motion was made necessary by the fact that the deadline to file the Receiver's claims against the former DCEH directors and officers expired at year-end.

As of last night, the last of those former directors and officers tendered an executed tolling agreement, extending the statutes of limitations by six months. Since there is no longer a pressing need to file claims by year-end, there is no need to consider the litigation trust at this point in time. Accordingly, the Receiver hereby withdraws his Motion and requests that the hearing on the Motion, now scheduled for December 15, 2023, at 10 AM be canceled.

The Receiver expects no objection from Dream Center Foundation on this development. But, should the Receiver find it necessary to submit another litigation

trust, the Receiver trusts that the Foundation will consider whether it has standing to weigh in on the subject before filing anything.

Dated: December 14, 2023

Respectfully submitted,

**MCCARTHY, LEBIT, CRYSTAL  
& LIFFMAN CO., L.P.A.**

/s/ Hugh D. Berkson

Robert T. Glickman (0059579)

Hugh D. Berkson (0063997)

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*Special Counsel for the Receiver*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of December 2023, a copy of the foregoing was filed electronically with the Court. Notice of this filing will be sent to all parties registered for electronic service by operation of the Court's electronic filing system. The parties may access the filing through the Court's system.

Respectfully submitted,

/s/ Hugh D. Berkson  
Hugh D. Berkson (0063997)